

Remarks

Claims 1-27 are pending. The Office Action dated January 13, 2004 in this application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this application in condition for allowance. By this amendment, Claims 1, 9, 20, 22, 23, and 27 have been amended. Reconsideration and allowance are respectfully requested in light of the foregoing amendments and the following remarks.

Claims 1-8 stand rejected under 35 U.S.C. §102(e) as being assertedly anticipated by U.S. Patent No. 6,571,221 to Stewart et al. ("Stewart"). Insofar as they may be applied against the claims, these rejections are deemed overcome.

Specifically, Stewart does not teach, suggest, or disclose the unique combination disclosed thereof in Claim 1. Stewart was recited as assertedly fully disclosing the following: (1) providing user-dependent information for access to an information network, thereafter; (2) depressing a key sequence with at least one key on the wireless device to initiate an information request; (3) determining whether the information request requires user-dependent information; (4) retrieving the user-dependent information if required by the information request; (5) submitting the request with the user-dependent information to a service provider for retrieving the information; (6) receiving a response from the service provider; and (7) presenting the response to the wireless device.

Claim 1 has been amended to recite one of the distinguishing characteristics of the present invention, namely, "receiving location dependent information by at least one secure location server; [and] formatting the response according to location dependent information." Support for this Amendment is located on pages 15, lines 8-24 of the original Application, among other places.

Stewart, though, does not teach suggest or disclose utilizing location information to format the response. Stewart, though, on Column 5, lines 37-46 reads that “[t]he network communication system 100A may be geographic-based...[where] information and/or services to the MU based at least partly on the known geographic location of the MU.” For example information can be provided “by the access points 120 or as indicated by geographic information (e.g., GPS information) provided from the [Portable Computing Device].” However, there is no expressed dependency between a location server and the information format.

The present invention of Claim 1 utilizes “[t]he form of location information retrieved from the location server 346 [because the location server] is dependent on the type of wireless communications network.” (Application, page 15, lines 10-15). For example, a GSM network utilizes a cell ID, and a TDMA or CDMA network utilizes an MSC ID. The location server, which secure because, for example, it is owned by the wireless provider, can then act as an access point, which properly formats the information. Also, a user’s private information, such as the user’s location, is secure because of, for example, ownership of the location server by the wireless provider.

In view of the foregoing, it is apparent that the cited reference does not disclose, teach, or suggest the unique combination recited in amended Claim 1. Applicants therefore submit that amended Claim 1 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over those references and any references of record in any combination. Accordingly, Applicants respectfully request that the rejection of amended Claim 1 made under 35 U.S.C. §102(e) as assertedly being anticipated over Stewart be withdrawn.

Claims 2-8 are dependent Claims that depend on and further limit Claim 1. Hence, for at least the aforementioned reasons, these Claims would be deemed to be in condition for

allowance. Hence, Applicant respectfully request that the rejections of the dependent Claims 2-8 also be withdrawn.

Claims 9-19 stand rejected under 35 U.S.C. §102(e) as being assertedly anticipated by Stewart. Insofar as they may be applied against the claims, these rejections are deemed overcome.

Applicants contend that the rejection of amended Claim 9 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include Stewart not disclosing, teaching, or suggesting “receiving location dependent information by at least one secure location server; [and] formatting the response according to location dependent information.” Applicants therefore respectfully submit that amended Claim 9 is clearly and precisely distinguishable over the cited references in any combination.

In view of the foregoing, it is apparent that the cited reference does not disclose, teach, or suggest the unique combination recited in amended Claim 9. Applicants therefore submit that amended Claim 9 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over those references and any references of record in any combination. Accordingly, Applicants respectfully request that the rejection of amended Claim 9 made under 35 U.S.C. §102(e) as assertedly being anticipated over Stewart be withdrawn.

Claims 10-19 are dependent Claims that depend on and further limit Claim 9. Hence, for at least the aforementioned reasons, these Claims would be deemed to be in condition for allowance. Hence, Applicants respectfully request that the rejections of the dependent Claims 10-19 also be withdrawn.

Claims 20 and 21 stand rejected under 35 U.S.C. §102(e) as being assertedly anticipated by Stewart. Insofar as they may be applied against the claims, these rejections are deemed overcome.

Applicants contend that the rejection of amended Claim 20 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include Stewart not disclosing, teaching, or suggesting “receiving location dependent information by at least one secure location server; [and] formatting the response according to location dependent information.” Applicants therefore respectfully submit that amended Claim 20 is clearly and precisely distinguishable over the cited references in any combination.

In view of the foregoing, it is apparent that the cited reference does not disclose, teach, or suggest the unique combination recited in amended Claim 20. Applicants therefore submit that amended Claim 20 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over those references and any references of record in any combination. Accordingly, Applicants respectfully request that the rejection of amended Claim 20 made under 35 U.S.C. §102(e) as assertedly being anticipated over Stewart be withdrawn.

Claim 21 is a dependent Claim that depends on and further limits Claim 20. Hence, for at least the aforementioned reasons, Claim 21 would be deemed to be in condition for allowance. Hence, Applicants respectfully request that the rejection of the dependent Claim 21 also be withdrawn.

Claim 22 stands rejected under 35 U.S.C. §102(e) as being assertedly anticipated by Stewart. Insofar as it may be applied against the claim, this rejection is deemed overcome.

Applicants contend that the rejection of amended Claim 22 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include Stewart

not disclosing, teaching, or suggesting “means for receiving location dependent information by at least one secure location server; [and] means for formatting the response according to location dependent information.” Applicants therefore respectfully submit that amended Claim 22 is clearly and precisely distinguishable over the cited references in any combination.

In view of the foregoing, it is apparent that the cited reference does not disclose, teach, or suggest the unique combination recited in amended Claim 22. Applicants therefore submit that amended Claim 22 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over those references and any references of record in any combination. Accordingly, Applicants respectfully request that the rejection of amended Claim 22 made under 35 U.S.C. §102(e) as assertedly being anticipated over Stewart be withdrawn.

Claims 23-26 stand rejected under 35 U.S.C. §102(e) as being assertedly anticipated by Stewart. Insofar as they may be applied against the claims, these rejections are deemed overcome.

Applicants contend that the rejection of amended Claim 23 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include Stewart not disclosing, teaching, or suggesting “receiving location dependent information by at least one secure location server; [and] formatting the response according to location dependent information.” Applicants therefore respectfully submit that amended Claim 23 is clearly and precisely distinguishable over the cited references in any combination.

In view of the foregoing, it is apparent that the cited reference does not disclose, teach, or suggest the unique combination recited in amended Claim 23. Applicants therefore submit that amended Claim 23 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over those references and any references of record in any

combination. Accordingly, Applicants respectfully request that the rejection of amended Claim 23 made under 35 U.S.C. §102(e) as assertedly being anticipated over Stewart be withdrawn.

Claims 24-26 are dependent Claims that depend on and further limit Claim 23. Hence, for at least the aforementioned reasons, these Claims would be deemed to be in condition for allowance. Hence, Applicant respectfully request that the rejections of the dependent Claims 24-26 also be withdrawn.

Claim 27 stands rejected under 35 U.S.C. §103(a) as being assertedly unpatentable by Stewart. Insofar as it may be applied against the claims, this rejection is deemed overcome.

Applicants contend that the rejection of amended Claim 27 is overcome for at least some of the reasons that the rejection of Claim 1 as amended is overcome. These reasons include Stewart not disclosing, teaching, or suggesting “computer program code for receiving location dependent information by at least secure one location server; [and] computer program code for formatting the response according to location dependent information.” Applicants therefore respectfully submit that amended Claim 27 is clearly and precisely distinguishable over the cited references in any combination.

In view of the foregoing, it is apparent that the cited reference does not disclose, teach, or suggest the unique combination recited in amended Claim 27. Applicants therefore submit that amended Claim 27 is clearly and precisely distinguishable over the cited references in a patentable sense, and is therefore allowable over those references and any references of record in any combination. Accordingly, Applicants respectfully request that the rejection of amended Claim 27 made under 35 U.S.C. §103(a) as assertedly being anticipated over Stewart be withdrawn.


Applicants have now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of Claims 1-27.

Applicants do not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of Carr LLP.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

CARR LLP



Theodore F. Shiells

Reg. No. 31,569

Dated: 3-15-04  
CARR LLP  
670 Founder's Square  
900 Jackson Street  
Dallas, Texas 75202  
Telephone: (214) 760-3030  
Fax: (214) 760-3003